

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hirofumi YASUDA et al.  
Title: CATALYST AND PRODUCING  
METHOD THEREOF  
Appl. No.: Unassigned  
Filing Date: 06/22/2006  
International Appl. No.: PCT/JP2004/018338  
International Filing Date: 12/02/2004  
Examiner: Unassigned  
Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be

AP3 Rec'd PCT/PTO 10/583970  
22 JUN 2006  
Atty. Dkt. No. 040302-0570

appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the date of entry of the national stage as set forth in 37 CFR §1.491.

### **RELEVANCE OF EACH DOCUMENT**

Documents A1 through A4, and A12 were cited in the International Search Report in Applicants' International Application PCT/JP2004/018338. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Documents A2, A5, A7, A10, and A11 were cited as being relevant during the prosecution of the corresponding Japanese application. A copy of the Japanese Office Action and an English-language translation thereof is attached.

The relevance of the non-English language documents A5 through A9 is described in the present specification. Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a "concise explanation of relevance" for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Receipt date: 06/22/2006

10/583970  
AP3 Rec'd PCT/PTO 22 JUN 2008  
10/583970 - GAU: 4181

Atty. Dkt. No. 040302-0570

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

Respectfully submitted,

Date: June 22, 2006

By 

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5414  
Facsimile: (202) 672-5399

Richard L. Schwaab  
Attorney for Applicant  
Registration No. 25,479

Receipt date: '06/22/2006

10/583970  
 AP3 Rec'd PCT/PTO 22 JUN 2008  
 10583970 - GAU: 4181  
 MODIFIED PTO/SB/08 (08-00)  
 Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Date Submitted: June 22, 2006 (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	Unassigned
				Filing Date	06/22/2006
				First Named Inventor	Hirofumi YASUDA
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
				Attorney Docket Number	040302-0570
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	2002/0045543		TAKATORI ET AL.	04-18-2002	
	A2	4,714,693		TARGOS ET AL.	12-22-1987	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A3	WO	85/03241		EKA AB	08-01-1985		
	A4	EP	0 466 984		UOP	01-22-1992		
	A5	JP	09-262470		TOYOTA MOTOR CORP; TOYOTA CENTRAL RES & DEV LAB INC	10-07-1997		ABS.
	A6	JP	2000-42411		TOYOTA MOTOR CORP; WAKABAYASHI KATSUHIKO	02-15-2000		ABS.
	A7	JP	2001-103606		YAMAHA MOTOR CO LTD	04-13-2001		ABS.
	A8	JP	2002-024847		DAINIPPON PRINTING CO LTD	01-25-2002		ABS.
	A9	JP	2002-066335		TOYOTA CENTRAL RES & DEV LAB INC; TOYOTA MOTOR CORP	03-05-2002		ABS.
	A10	JP	2003-288905		ASAHI KASEI CORP	10-10-2003		ABS.
	A11	JP	2003-290667		TOYOTA MOTOR CORP	10-14-2003		ABS.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>6</sup>
	A12	M.J. ESCUDERO et al., "Development and performance characterization of new electrocatalysts for PEMFC", Journal of Power Sources 106 (2002) (pgs. 206-214)			

Examiner Signature	/Jared Wood/	Date Considered	10/31/2008
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

WASH\_1634708.1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /J.W./